1891

The Initiative and Referendum

NEEDED REFORMS IN REPRESENTATIVE GOVERNMENT

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To the People of Canada :

We have had years of experience of our system of Representative Government, the result of which has been to prove representative government in some respects a failure. Our laws do not represent the will of the people, neither do they serve to prevent corruption. No system of government can be considered satisfactory, which does not answer these two requirements. The first duty of our legislative body, should be, to carry into effect the wishes of the majority of the electors of the community. In a state where the electors have no opportunity to express themselves directly upon the question at issue, it must necessarily happen that the wishes of the people may be one thing, while the law enacted by the legislative power may be entirely different. Especially is this true, when, as with us, a dozen different measures may be brought before the electors in one political campaign, on some of which one candidate may represent the elector's views, while the opposing candidate may be more in accord with him as to the remainder. The elector naturally votes for the candidate who represents his view on what he considers the most important question, while he is compelled to sacrifice his opinions on what he deems of minor importance. When added to this, there have been party affiliations extending over a long term of years, the voter very often sacrifices his views on even the most important matter, because, while not satisfied with the position taken by his whilom friends, he prefers to have them in power rather than to trust the control of affairs to those in whom he has no confidence, fearing that they may do even worse than his friends. (In a proper system of government the voter should be able to express his opinion directly upon legislation).

Then, after a representative is once selected, there is no method provided by which his action may be controlled, either positively or negatively during his term of office. He is at liberty to break every pledge, and on every question to vote contrary to the wishes of his constituents. The electors are kings only at the moment they deposit their ballot, for they thus assert their sovereignty only to yield it up again to the representative body. This we believe to be a flagrant wrong which should be remedied. The evil results of the system have been made apparent in our own legislation, and much social progress has been retarded because of its defects.

The present system tends towards partyism and partyism leads to corruption. In the process of time electors become so identified with their party that they seek to palliate rather than condemn the wrongs of which that party may have been guilty. The result has been periodical revelations of corruption in our parliamentary systems. Patriotic citizens should look around for a remedy. Not a palliative that will serve merely as a check, but something which will strike at the root of the disease. We believe that the cause of these evils lies in the fact that our various representative bodies have practically uncontrolled power over both money and important interests. This affords the opportunity for corrup-

tion and at the same time binds the adherents of the parties together and furnishes the incentive to sacrifice the interests of the country for the interests of the party. Party exigency fills the place which should be occupied by the public weal. The remedy, then, is to so change the system as to make it impossible for our representative bodies to control those monies and interests independent of the consent of the electors. At the same time the refusal of that consent should not affect the position of the government of the day.

To insure the consideration and adoption of progressive legislation there should be the power in the people themselves to directly initiate legislation and to compel the adoption of the measures they propose even though the same may not meet with the views of their representatives. Our system of legislation should also provide some method by which the will of the people can be ascertained upon any measure of importance. *In fact our various representative bodies should exist solely for the purpose of ascertaining and carrying into effect the wishes of the people.* The idea that the leaders of public opinion were to be found among our politicians has long since been recognized as a mere fiction. Our system of partizan government renders the advocacy of progressive measures by politicians well nigh an impossibility. Politicians move forward only as they are compelled by public opinion.

In consideration of these many disadvantages of our present system, the joint committee representing the various industrial, social and economic reform associations of the city of Toronto, invite the co-operation of the citizens of Canada in the endeavor to secure such changes in our system of government as will enable the people to directly initiate and control legislation. For this purpose we suggest the adoption of:

First,—The Initiative, by which the voters of any municipality, province, or the Dominion may demand the submission of a new law or the alteration or abolition of any existing law within the jurisdiction of the body to whom the demand is presented. Upon the demand being presented it shall be the duty of the municipal council, legislative assembly or Dominion Parliament, as the case may be, to prepare an Act in accordance with the terms of the demand and submit it to the popular vote for approval or rejection. If approved it forthwith becomes law.

Second,—The Referendum, a provision by which all enactments of a general nature, and which are not urgent in their character, do not become law until three months after they have been passed by the representative body. During those three months the voters may demand that the measure be submitted to the popular vote.

Third,—Such other measures as may be necessary to bring our political system into harmony with the above suggested changes.

These methods have been in force in the cantons of Switzerland for many years. Instituted in the Canton of St. Gallen, in 1831, they were gradually adopted by the other cantons, until one or both is now in force in every canton where there is no general assembly, except Fribourg. The referendum has been in operation in federal legislation since the year 1848.

Messrs. Adams & Cunningham, in their work, "The Swiss Confederation," published in 1888, use the following words to describe the effects of this system upon Swiss politicians, legislation and the people: "The referendum has struck root and expanded wherever it has been introduced, and no serious politician of any party would now think of attempting its abolition. The Conservatives, who violently opposed its introduction, became its earnest supporters when they found that it undoubtedly acted as a drag upon hasty and radical law making."

"A sufficient period has elapsed to allow the people of Switzerland

to form an opinion of the working and results of the popular vote. As to the moral effect which the exercise of this institution has had upon the people, we are assured that it is admitted to be salutary even by adversaries of democratic government. The consciousness of individual influence as well as the national feeling is declared to have been strengthened, and the fact of a large, and on several occasions, increased participation of the people, in the vote, is quoted as tending to prove that their interest in political questions is growing keener.

"The application of the referendum as worked in Switzerland, and the issues raised by it, are so easy to understand, and in most cases so independent of party manœuvres, that public opinion acquiesces at once in the result, and the general feeling entertained in the country with reference to a particular question, finds its accurate, and for the time being final expression." "The initiative is essentially a powerful engine in a democratic direction. By means of it legislative bodies, mostly composed of persons belonging to the well-to-do class, can be compelled by the people, to take up and put to a vote, matters which without it, would in all probability, never be brought to the front."

"The members of the Federal Council, we will venture to affirm, yield to no government in Europe in devotion to their country, in incessant hard work for a poor salary, and in thorough honesty and incorruptibility."

Other authors who speak from actual observation say:

"There is manifest an independence of party which impels the voter to support that which he believes to be in the interest of the community irrespective of party alliances, and thus the real will of the people is ascertained. Its effect upon the political machinery is that it reduces the necessity of prominent political leaders to a mimimum, and politics consequently ceases to be a trade; for the power of the politician is curtailed, and there is no money in the business. The referendum has struck a blow at party government, in the narrow partizan sense, whose business is to oppose, never to co-operate. The political field there has not been yielded to adventurers. Nowhere in the world are the government places filled by men so well fitted for the work to be performed. The referendum is fatal to anything like extravagance in the management of public funds."

"It disarms instantly and kills remorselessly all manner of jobs, and forbids favors lavished upon one district at the expense of the rest. While in our system class interests are mostly paramount--under the referendum this is not so. By it every measure is disposed of upon its merits and the will of the people becomes law."

By a vote of the people taken in July of this year, it was decided to extend the operation of the initiative to federal legislation. Heretofore this provision has been in force only in the cantons. This is the best proof possible of its satisfactory operation.

We believe that now is an opportune time in which to begin an active agitation in favor of the introduction of those reforms here. Will you co-operate with us? All who will do so should communicate with

F. E. TITUS,
100 Church St., Toronto,
Provisional Secretary Referendum Com.

TORONTO, Nov. 16th, 1891.